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Attorney Docket No. 5394.0011



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED

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In re Application of:)
)
Stewart COLE et al.) Group Art Unit: Not yet assigned TECH CENTER 1600/29
)
Application No.: 09/673,476) Examiner: Not yet assigned
International Appln. PCT/IB99/00740)
)
Filed: October 16, 2000)
)
International Filing)
Date: April 16, 1999)

For: A METHOD FOR ISOLATING A POLYNUCLEOTIDE OF INTEREST FROM
THE GENOME OF A MYCOBACTERIUM USING A BAC-BASED DNA
LIBRARY, APPLICATION TO THE DETECTION OF MYCOBACTERIA

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the date of entry of the national stage in an international application.

Copies of the listed documents, including any copending patent applications, are attached. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

LAW OFFICES
FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.


Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 5, 2001

By: 
Timothy B. Donaldson
Reg. No. 43,592

INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)



Atty. Docket No. 5394.0011		Serial No. 09/673,476					
Applicant Stewart COLE et al.							
Filing Date October 16, 2000				Group: Not yet assigned			
U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub Class	Translation Yes or No
		WO93/03187	Feb. 1993	PCT			
		WO93/18186	Sept. 1993	PCT			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	Brosch et al., "Use of a Mycobacterium Tuberculosis H37Rv Bacterial Artificial Chromosome Library for Genome Mapping Sequencing, and Comparative Genomics," <u>Infection and Immunity</u> , Vol. 66, No. 5, pp. 2221-2229 (May 1998)						
	Cole et al., "Deciphering the Biology of <i>Mycobacterium tuberculosis</i> from the Complete Genome Sequence," <u>Nature</u> , Vol. 393, pp. 537-544 (June 11, 1998)						
	Cole et al., "Analysis of the Genome of <i>Mycobacterium tuberculosis</i> H37Rv", Novartis Foundation Symposium, pp. 160-177 (1998)						
	Kim et al., "Construction and Characterization of a Human Bacterial Artificial Chromosome Library," <u>Genomics</u> , Vol. 34, pp. 213-218 (June 1, 1996).						
	Philipp et al., "Physical Mapping of <i>Mycobacterium bovis</i> BCG Pasteur Reveals Differences from the Genome Map of <i>Mycobacterium tuberculosis</i> H37Rv and from <i>M. bovis</i> ," <u>P.N.A.S.</u> , Vol. 142:3135-3145 (1996)						
	Philipp et al., "An Integrated Map of the Genome of the Tubercle Bacillus, <i>Mycobacterium Tuberculosis</i> H37Rv, and Comparison with <i>Mycobacterium leprae</i> ," <u>Microbiology</u> , Vol. 93:3132-3137 (1996)						
	Zimmer et al., "Construction and Characterization of Large-Fragmented Chicken Bacterial Artificial Chromosome Library", <u>Genomics</u> , Vol. 42:217-226 (1997)						
	International Search Report of PCT/IB99/00740						
	U.S. Patent Application Serial Nos. 09/060,756 and 09/670,314 (same disclosure)						
Examiner				Date Considered			
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							
Form PTO 1449				Patent and Trademark Office - U.S. Department of Commerce			

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